

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE, EASTERN DIVISION

IN RE:
Quintessa Stewart
DEBTOR(S)

Chapter 13 Case No. 17-10200

**MOTION TO COMPEL MORTGAGE COMPANY TO PROVIDE AN ACCOUNTING
AND PAYMENT HISTORY**

Comes now the Debtor, by and through the attorney of record, C. Jerome Teel, Jr., and moves the Court for an order to compel Nationstar Mortgage LLC dba Mr. Cooper (“Nationstar”) to provide an accounting and payment history.

In support of said motion, the Debtor would show unto the Court as follows:

1. The Debtor filed for relief under Chapter 13 of the Bankruptcy Code on January 30, 2017.
2. Nationstar has a mortgage lien on the Debtor’s real property located at 300 Greenview Circle, Bolivar, Tennessee. The claim of Nationstar is being paid in a long-term debt class.
3. The Debtor was given verbal notification by Nationstar that its internal records reflect an arrearage of approximately \$5,900.00.
4. Nationstar is included in the Debtor’s plan for disbursement of the monthly mortgage payment, plus an arrearage claim disbursement. The trustee’s records reflect that the post-petition ongoing payments are current, and that the arrears claim balance is approximately \$600.00. Based on recent documentation from Nationstar, it appears the plan disbursements by the Trustee are being applied incorrectly. Debtor’s counsel has been unsuccessful in obtaining additional information regarding the application of payments.
5. The Debtor requests an order compelling Nationstar to provide an accounting and payment history in order to verify that the payments are being applied properly. Specifically, the Debtor requests that Nationstar provide an accounting of payments received from the trustee, the Debtor’s escrow account and any suspense account maintained by Nationstar regarding the Debtor’s loan.

Debtor Moves:

1. For a service of process on all appropriate parties, and for a hearing to be scheduled at a time convenient for the Court;
2. For an order compelling Nationstar to provide an accounting and payment history to the Debtor and Debtor’s counsel, within 30 days from the date of the order. Specifically, an accounting for application of the ongoing mortgage disbursement paid by the Chapter 13 Trustee post-petition and the arrearage payments made by the Chapter 13 Trustee as well as the escrow account and suspense account.

Respectfully submitted this 20th day of October, 2020.

TEEL & MARONEY PLC

/s/ C. Jerome Teel, Jr.
C. Jerome Teel, Jr. (#016310)
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CERTIFICATE OF SERVICE

I, C. Jerome Teel, Jr., do hereby certify that a true and exact copy of the foregoing motion has been served on the following, via mail or email, this 20th day of October, 2020:

debtor, 300 Greenview Circle, Bolivar, TN 38008
Chapter 13 Trustee, via email
Nationstar Mortgage LLC, PO Box 619096, Dallas, Texas 75261-9741
Nationstar Mortgage LLC dba Mr. Cooper, 8950 Cypress Walters Blvd, Coppell, TX 75019
Rubin Lublin LLC, Attn. Natalie Brown, 119 S. Main St., Ste 500, Memphis, TN 38103

/s/ C. Jerome Teel, Jr.
C. Jerome Teel, Jr. (#016310)
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(bbk)